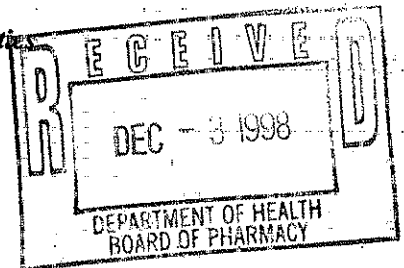


STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
D E P A R T M E N T O F H E A L T H



*Safe and Healthy Lives in Safe and Healthy Communities*

STATE OF RHODE ISLAND AND  
PROVIDENCE PLANTATIONS,  
DEPARTMENT OF HEALTH,  
BOARD OF MEDICAL LICENSURE  
AND DISCIPLINE



No. C97-202  
C98-220

In the matter of:  
Karl Felber, D.O.

CONSENT ORDER

Pursuant to R.I. Gen. Laws § 5-37-5.2, 1956, as amended, (1995 Reenactment) complaints were filed with the Board of Medical Licensure and Discipline (hereinafter referred to as "Board") charging Karl Felber, D.O., Respondent, with violations of § 5-37-5.1. An investigation was conducted by Investigating Committee I, so called, of the Board.

The following constitutes the Investigating Committee's Findings of Fact with respect to the professional Performance of the Respondent:

Findings of Fact

1. The Board of Medical Licensure and Discipline received a complaint from the mother of a patient treated by the Respondent at a hospital emergency room. Additionally, the Board received notification of an insurance settlement regarding the care rendered by the Respondent to a six-year

old in the same hospital emergency room. The Board learned also that the Respondent resigned his clinical privileges at the hospital following hospital notification of a failure to diagnose a prolonged QT interval.

2. The first matter involved a 19 year-old female who was seen by the Respondent on May 3, 1998 in the Emergency Room of a local hospital. She reported a recent assault in which she sustained a blow to the face that caused her to fall. She hit the ground with her jaw and lacerated her gum tissue. She complained to the Respondent of right lower jaw pain.

3. The Respondent did not order X-Rays and gave the patient instructions to follow-up for a minor head injury. The Respondent recommended that the patient be seen by an oral surgeon. The next day the patient was taken to a dentist who confirmed the presence of a fracture.

4. The next matter involved a six-year old who was seen by the Respondent in the hospital emergency. The chief complaint was abdominal pain and vomiting. The Respondent diagnosed viral gastroenteritis. The following day, it was learned that the patient has appendicitis.

5. The Board of Medical Licensure and Discipline finds the Respondent guilty of unprofessional conduct for departure from and the failure to conform to the minimal standards of acceptable and prevailing medical practice in violation of Rhode Island General Laws §5-37-5.1(19).

The parties agree as follows:

(1) The Respondent is a physician licensed and doing business under and by virtue of the Laws of the State of Rhode Island, osteopathic license number, DO 412.

(2) Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.

(3) Respondent has read this Consent Order and understands that it is a proposal of Investigating Committee I of the Board and is subject to the final approval of the Board. This Consent Order is not binding on respondent until final ratification by the Board.

(4) Respondent hereby acknowledges and waives:

- a. The right to appear personally or by counsel or both before the Board;
- b. The right to produce witnesses and evidence in his behalf at a hearing;
- c. The right to cross examine witnesses;
- d. The right to have subpoenas issued by the Board;
- e. The right to further procedural steps except for specifically contained herein;
- f. Any and all rights of appeal of this Consent Order;
- g. Any objection to the fact that this Consent Order will be presented to the

Board for consideration and review;

- h. Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;
- i. Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order.

(5) If the Consent Order is not accepted by the Respondent, the Investigative Committee will recommend to the Board that an Administrative Hearing be scheduled with respect to any and all acts of alleged unprofessional conduct. If the Board approves, a Hearing Committee will be convened for the purpose of conducting the Administrative Hearing. The composition of the Hearing Committee is described by statute. If the Hearing Committee votes in favor of finding the Respondent guilty of unprofessional conduct as specified in the charges, the Board shall prepare written finding of fact and law in support of said conclusion. If the accused is found not guilty, the Board shall, forthwith, issue an order dismissing the charges.

(6) Acceptance of this Consent Order constitutes an acknowledgement by the Respondent of the Investigative

Findings set forth herein.

(7) This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and by the Board.

(8) Failure to comply with this Consent Order, when signed and accepted, shall subject the Respondent to further disciplinary action.

(9) Respondent accepts the Board's finding of unprofessional conduct with the sanction of a reprimand. Additionally, the Respondent shall be monitored for a period of six months following completion of the East Carolina Clinical Enhancement Program.

(10) Respondent will participate in the East Carolina Clinical Enhancement Program in Greenville, North Carolina. Before leaving for the Program, the Respondent will execute all releases necessary in order for the Board to obtain a copy of the Evaluation and Report from the East Carolina Clinical Enhancement Program. A comprehensive evaluation of the Respondent's clinical and cognitive skills will be completed at the beginning of the program and this report with the educational recommendations will be sent to the Board of Medical Licensure and Discipline by the program within ten days of the completion of the evaluation. The Respondent must meet the remedial suggestions as soon as practicable and such remedial work will be monitored by the Board. This educational plan will also be communicated to the Board by the East Carolina

Administrator.

(11) There shall be an administrative fee of \$1000.00 due within 90 days of the acceptance of this agreement.

Signed this 5 day of Nov. 1998.

Karl Felber D.O.  
Karl Felber, D.O.

Ratified by the Board of Medical Licensure and Discipline at a meeting held on 18 November 1998.

Patricia A. Nolan MD, MPH  
Patricia Nolan, MD, MPH  
Chairperson  
Board of Medical Licensure and  
Discipline